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06 SEP 2007

In re Application of  
Hartmut Schon  
Application No.: 09/849,678  
Filing Date: 15 March 2005  
Attorney's Docket No.: 20093  
For: APPARATUS FOR THE PROVISION  
... FLUIDIZED BED REACTORS

COMMUNICATION

This application is before the PCT Legal Office for consideration of matters arising under petitions filed by the applicant and decisions based on these petitions by the Office.

**BACKGROUND**

On 26 August 2005, a decision mailed from this Office indicated that the petition under 37 CFR 1.137(b) filed on 15 April 2005 for Application No: 09/849,678 was GRANTED.

On December 12, 2005 applicant mailed a "Request for Clarification of the Decision of the Renewed Petition" stating that a second continuation application was separated from the petition and was entered prior to the decision on the petition. Also, it appeared that the preliminary amendment filed with the 2<sup>nd</sup> continuation application was entered in this first continuation application (Ser. No. 09/849,678) and claims are now present in the application, which were not included when the application was filed. Consequently, applicant wants a confirmation that the decision on the petition resulted that application number 10/976,287 had been entered properly as a continuation of PCT/EP99/08001.

A review of the applications reveal that there was some confusion with the petition filing since at the time of filing the petitions on 15 March 2005 and 15 April 2005, respectively, appeared to have been directed to application 09/849,678 rather than application 10/976,287. However, a closer review indicates that the petitions were meant to application 10/976,287 because application 09/849,678 at the time was terminated, and could not be revived.

As such application 10/976,287 is the proper file for the above applicant and the petitions filed and petition decisions should have been directed to application 10/976,287.

For the reasons set forth above, the papers in reference to the petitions filed and the petition decisions have been placed in the file of application number 10/976,287. All future prosecution of this application will be directed to application 10/976,287.

A copy of this "Communication" will also be placed in application 10/976,287.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application in accordance with this decision.

A handwritten signature in black ink, appearing to read 'R. Bacares', is written over the printed name.

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